

COUNCILMAN PUNISHED FOR CONTEMPT

BRICE MUST GO TO JAIL

PATRICK NOT HELD FOR JURY.

Justice Jerome Withholds Decision Until Monday Next and Remands Alleged Rice Conspirator to the Tombs — Defendant Feels Sure of Release.

Justice Jerome may not hold Lawyer Albert T. Patrick for the Grand Jury on the charge of murdering Millionaire William Marsh Rice, which Valet Jones swears he himself committed by chloroform under Patrick's orders.

The Court remanded the defendant to the Tombs without bail, and will render a decision on Monday next. Patrick, with Morris Meyers, his law clerk, and David L. Short waived examination on the charge of forgery, and all three were locked up in prison.

Patrick was gay, the hesitation of the Justice to hold him on Jones's testimony and the declaration of Poison Expert Withaus that Rice was not killed by mercury and that a person could not be chloroformed when asleep without awaking, making him very confident of being released.

The defense called no witnesses, and Lawyer Moore made a short argument in the afternoon, requesting the dismissal of the charges against his client.

Plends for Dismissal.
Lawyer Moore formally moved for the dismissal of Patrick on three grounds:

First—That the people had failed to establish the crime of murder.
Second—That it had not been established that Patrick was a participant in the crime.
Third—That the allegations of Jones, the accomplice, were not corroborated by competent and legal evidence.

In support of these contentions Mr. Moore quoted at length from numerous authorities. Patrick listened eagerly, and occasionally whispered to his advocate as if prompting him.

Mr. Garvin, interrupting Mr. Moore, said that the evidence all showed that Patrick participated in the crime, as he had a strong motive for wishing Rice's death.

He also proved himself a prophet because he forged checks the day Rice died. This ended the arguments, and Justice Jerome said he would probably be able to render his decision Monday.

Patrick, Meyers and Short all decided to waive examination on the charge of forgery, the will and were remanded to prison. Patrick was very facetious in answering the questions put to him by the commitment clerk.

"How old are you?" the clerk asked. "Thirty-five."
"Where were you born?"
"Texas."
"Where do you live?"
"Tombs prison."
"How long have you lived there?"
"Six months."
"What is your occupation?"
"Prisoner."

Patrick laughed outright as he gave these answers. He seemed positively joyous. The three prisoners went back to the Tombs, all, apparently, in cheerful frames of mind.

Writing Expert Testifies.
When the hearing in the Rice poison case was called to-day, Lawyer Moore, for the defendant, announced he would put in no defense, but would simply cross-examine the people's witnesses.

PATRICK DECLARES HE IS SATISFIED AND JONES LIES.

I am entirely satisfied with the outcome of the examination. I am not in a position to talk. It would be most unwise for me to do so, but I can say that in my opinion there has been no corroboration of the preposterous accusations of this man Jones. His story is false on the face of it.—ALBERT T. PATRICK in statement to The Evening World after Justice Jerome announced he would remand him.

JERSEY CENTRAL STRIKE AVERTED.

Men with Grievances in Conference with Officials and Concessions Are Made.

There is every indication, this afternoon, that the threatened strike on the Central Railroad of New Jersey has been averted. The engineers and firemen will probably get their demands; concessions will probably be made to trainmen and conductors, while the telegraphers will gain little or nothing.

All afternoon a conference has been going on in the office of General Superintendent O'Hausen. Vice-President Warren was not present.

At 2 o'clock Mr. Waite, representing the engineers, and Mr. Shea, the firemen, met the General Superintendent and the division superintendents. They immediately went into conference.

No representatives of the trainmen, conductors or telegraphers were present at the beginning, the Company insisting these men had no grievances.

Division Superintendent Wentz joined the conference and the conference made such rapid progress that George Reilly, representative of the firemen, said at 2:30 o'clock:

"It looks as though a strike has been averted. We are going over the entire wage schedule and it looks as if satisfactory concessions will be made."

At 2 1/2 o'clock a delegation representing the Grievance Committee arrived from Wilkesbarre and joined the conference. The union quickly spread that there would be a satisfactory adjustment all around.

The Grievance Committee which arrived from Wilkesbarre comprises George A. Peck for the engineers, H. T. Reiner for the trainmen, Fuller Tucker for the conductors and John Neilligan for the telegraphers. Ellison Riley for the firemen came on an earlier train. This committee was met as it came off the train by a delegation of Jersey City employees, who seemed delighted at the prospects of a satisfactory adjustment.

It was rumored that the telegraphers stand a poor chance of getting more pay.

At 4 o'clock the conference thought the session would continue until midnight. The matter of the engineers' and firemen's wages had not been completely settled at that time.

SMALL STRIKE ON JERSEY CENTRAL.
WILKESBARRE, Pa., April 11.—Three hundred employees of the Central Railroad of New Jersey, in the Ashley car shops, struck at noon to-day because of a proposed reduction of wages.

At 2 o'clock the conference thought the session would continue until midnight. The matter of the engineers' and firemen's wages had not been completely settled at that time.

Two Women Ply Lash on Man Who Insulted Them.
John Smith, who said he was a civil engineer, living at No. 200 East Ninety-fourth street, was held by Magistrate Hogan to-day in \$500 bail for examination, charged with annoying two women and their escorts in a One Hundred and Sixteenth street cross-town car.

The complainants were Dr. Richard Wolf, of No. 315 East Eighty-sixth street, and Dr. Jacob Zweig, of No. 195 Madison avenue.

FIFTEEN'S REPORT SAYS CITY VICE IS PROTECTED.

The report of the Committee of Fifteen on Vice in this city was made public this afternoon. It says that gambling and poolrooms are run openly; that the gambling saloons have been artificially encouraged until it has become a menace to the community, and that these gambling and poolrooms were permitted to remain open by the authorities, and were protected in their operations by officers whose duty it was to do so.

RESULTS AT BENNING.

Sixth Race—Cherrywild 1, Auditor 2, Misco 3.

TRANSPORT JEROME OVERDUE.

SAN FRANCISCO, April 11.—The transport Jerome, which left Manila March 7, some 100 days overdue, is expected to arrive here about 900 men aboard, in four days overdue at this port. She is friends on board.

TABLOIDS OF THE LATEST NEWS

FOUR SHIPS BRING 4,705.—Four of the Atlantic liners—Majestic, Tartar Prince, Westernland and Frankfurt—which arrived to-day landed in all 4,705 passengers. Of this number only 527 came first class.

CHILD LONG MISSING.—The police have found no trace of five-year-old Lena Pennak, missing from Attorney street since Saturday.

CONTAGIOUS DECREASING.—Contagious diseases have slightly decreased in the week ending April 9. There were 1,620 cases, compared with 1,642 the week previous. Small-pox increased one case, while scarlet fever increased sixteen cases.

LORENZO'S MARRIAGE VOID.—Gregorio Di Lorenzo's marriage to Joanna Samuelovits was declared annulled to-day by a jury in the Supreme Court, Brooklyn. They were married in October, 1891, on the representation, he claimed, that a child born previous to the event was his. He discovered later that the child was "hugons."

LIBRARY HIDE DELAYED.—The Park Commissioner postponed opening bids for the new public library until April 25. The architect doubted whether the appropriation, something like \$3,000,000, was adequate for the purpose.

TRAIN KILLED WOMAN.—While running to catch a freight car of the Orange and Passaic Valley Railroad, Mrs. Anna Houshman, wife of James Houshman, was instantly killed by the east-bound Passaic and Delaware express on the Lackawanna Railroad at Orange, N. J.

FOUND IN POTTER'S FIELD.—In the Potter's Field of the Bergen County (N. J.) Almshouse relatives of William Thomas, a boiler-maker, employed by the New York and New Haven road, discovered his dead body. He was killed by a train.

ONE YEAR FOR BEGGING.—Mary McCann, convicted of writing begging letters to rich people by

MORGAN TO STUDY LONDON TRANSIT.

Financier Declares His Interest in the Electric Traction Problem and Will Give Attention to It.

Begins Business Immediately He Leaves Teutonic and Denies Any Concern in Panama Canal Scheme.



J. P. MORGAN

Interested in any Panama Canal scheme.

In closing his talk Mr. Morgan made a significant statement, that especially interested financiers here, more particularly the Americans who are concerned in railways. He said that during his stay in London he would give his attention to electric traction movements.

This is taken to indicate that the financial king may do something that will keep Mr. Yerkes guessing. The transit problem is absorbing London just now and Mr. Morgan is regarded as the man likely to fully solve it.

When Mr. Morgan arrived in London he was met at the railroad station by J. P. Morgan, Jr., his two children and a number of reporters. After answering questions he hurried to his carriage and drove off with a grandchild on each knee.

WIFE TELLS OF MAD-HOUSE PLOT

Magistrate Believes that Mrs. Kuster Is Sane, Yet Commits Her.

Lawyer Louis E. Kuster says his wife is mad.

The pretty young wife says she is plotting to be rid of her.

Magistrate Cornell, after ordering that Eunice T. Kuster's sanity be inquired into, called her to the bench.

"I do this as a formality," he told her, "but personally I do not believe that you are insane. Under the circumstances, though, I can do no less than to send you to Bellevue temporarily."

Kuster had testified that once in a lawyer's office, at No. 320 Broadway, a wife accused him of trying to poison her. He added that the young woman was irresponsible in her talk.

Mrs. Kuster, in a calm voice, declared that the husband was anxious to free himself from her. She said he had already begun separation proceedings, and that this accusation was part of his plan to put her out of the way.

Mrs. Kuster lives with a relative, Mrs. Dunn, at No. 320 East Twenty-fourth street, where she was arrested this morning. She was accompanied to court by Gen. Delgado, who recommended that she be committed to the insane asylum.

NO VACCINATION, SAY THE GIRLS.

Principal of Brooklyn High School Has Big Fight on Hand.

Twenty-five hundred pretty high school girls of Brooklyn are arrayed in battle royal against their principal, Calvin E. Patterson.

Mr. Patterson has heretofore had interesting brushes with his young lady pupils concerning points in discipline, but these have been mere skirmishes. He must now face the fight of his life.

To-day he announced that all pupils who had not been vaccinated within a year and could not show doctor's certificate would have to be re-vaccinated, or they would not be allowed in the school building.

When this announcement was made war was declared at once. The young ladies are in open revolt. They say it is an outrage. Most of them have been vaccinated within the last few years and they assert that the year limit is absurd.

Their parents, too, have become interested in the matter and insist that it is not a question of law, but an arbitrary ruling of the principal.

A few days ago a man living in Prospect place was taken ill with the small-pox and was removed to North Brother Island. A Health Inspector called at the school and suggested that all pupils who had never been vaccinated be vaccinated at once.

The principal insists that all who do not follow out his instructions cannot enter the building. The young ladies say they will not be vaccinated, and that they will go to school.

Gain for Woman Suffrage.
(Special to The Evening World.)
ALBANY, April 11.—Woman suffrage received an impetus in the Senate to-day. Assemblyman Kelsey's bill permitting women tax payers in villages to vote upon appropriation propositions was on motion of Senator Humphrey taken on the Committee on Judiciary. The question will now be fought out on the floor of the Senate.

Justice Scott in Supreme Court Takes Drastic Measures Against Bond Obstructor — Others in Same Plight.

Ten Days Is the Sentence and the Young Son of the Late Calvin S. Brice Has No Appeal.

Councilman Stewart M. Brice, son of the late United States Senator Calvin S. Brice, has been sentenced to ten days' imprisonment and to pay a fine of \$473 for contempt of court in a decision just handed down by Justice Scott in Supreme Court.

The decision is the outcome of contempt proceedings brought against several recalcitrant members of the Council who refused to vote for the issue of \$500,000 worth of bonds to build the foundation for the new Hall of Records.

The order will now be entered and delivered to the Sheriff, who will arrest Brice and commit him to Ludlow Street Jail.

This is a final order, and it is said there is no appeal from it. The case



STEWART M. BRICE

was appealed once and sent to a referee, who found him guilty of contempt. Justice Scott's action is a confirmation of the report.

The writ to mandamus the board was issued July 22, 1899. It commanded the members peremptorily to authorize the Comptroller to issue bonds to pay Contractor John Pierce for his work on the Hall of Records.

"The respondent," says Justice Scott in his decision, "has failed not only to purge himself of contempt, but has attempted to deceive and mislead the Court as to facts relating thereto."

"Then there can be no doubt that he has been guilty of a wilful contempt of this court and that his refusal to obey that mandate tended to and actually did defeat and prejudice the rights and remedies of the relator, Pierce."

"The only remaining question to be considered is as to the penalty."

"The sentence of the Court is that for the contempt of which he is adjudged guilty the respondent will be committed to the county jail for ten days and fined the sum of \$473, which is found to be the total loss produced by his misconduct."

When a reporter called at Councilman Brice's office in Park Row, his clerk said that Mr. Brice went out of town just before Easter and had not yet returned. The clerk said he did not know where he went.

PASSENGERS IN A WRECK.
Several Badly Shaken Up—Three Trainmen Injured.
PUEBLO, Colo., April 11.—Train No. 2, on the Denver and Rio Grande Railroad, known as the Atlantic Coast Express, which left here at 12:30 P. M., was wrecked at Eden, seven miles north of this city.